

PROB 12B  
(7/93)

**United States District Court**

**for**

**District of New Jersey**

**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender**

*(Probation Form 49, Waiver of Hearing is Attached)*

Name of Offender: Benjamin Santiago

Cr.: 02-69-01

Name of Sentencing Judicial Officer: Honorable John C. Lifland

Date of Original Sentence: 06-17-02

Original Offense: Conspiracy to Distribute Narcotics (21 U.S.C. § 846)

Original Sentence: 77 months custody and five years supervised release

Type of Supervision: Supervised Release

Date Supervision Commenced: 11-17-05

**PETITIONING THE COURT**

- ☐ To extend the term of supervision for \_\_\_\_\_ Years, for a total term of \_\_\_\_\_ Years.  
☒ To modify the conditions of supervision as follows. The addition of the following special condition(s):

The defendant shall participate in a mental health program for evaluation and/or treatment as directed by the U.S. Probation Office. The defendant shall remain in treatment until satisfactorily discharged and with the approval of the U.S. Probation Office.

**CAUSE**

The offender is currently participating in substance abuse treatment. He has expressed a need for a mental health evaluation to determine if psychological counseling is needed. The offender's substance abuse provider also recommends a mental health condition to address issues.

Respectfully submitted,

By: Kevin M. Villa

U.S. Probation Officer

Date: 06-26-07

**THE COURT ORDERS:**

- ☒ The Modification of Conditions as Noted Above  
☐ The Extension of Supervision as Noted Above  
☐ No Action  
☐ Other

Signature of Judicial Officer

Date

UNITED STATES DISTRICT COURT  
PROBATION OFFICE  
DISTRICT OF NEW JERSEY

CHRISTOPHER MALONEY  
CHIEF PROBATION OFFICER

DEPUTY CHIEF PROBATION OFFICERS  
MATTHEW F. MILLER  
THOMAS C. MILLER

June 28, 2007

*SRD*  
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The Honorable John C. Lifland  
Senior United States District Judge  
P.O. Box 0999  
Newark, NJ 07102-099

RE: **SANTIAGO, Benjamin (Dkt. #: 02-00069-01)**  
**Request for Modification to Conditions of Supervision**

Dear Judge Lifland:

On June 17, 2002, Your Honor sentenced Benjamin Santiago after being convicted of Conspiracy to Distribute Narcotics (21 U.S.C. § 846) to 77 months custody and five years supervised release. Special conditions included: drug testing/treatment and a \$100 special assessment. Santiago began his supervised release term in the District of New Jersey on November 17, 2005. At this time, we are requesting modification of conditions of supervision due to a need for additional services.

Santiago has been participating in substance abuse treatment. During a recent treatment session with his counselor, the offender disclosed some past mental health issues surrounding his family. According to Santiago's drug counselor, the offender has had some minor problems in moving forward with substance abuse treatment due to stress factors and the potential mental health issues.

On June 26, 2007, Santiago signed a Probation Form 49, *Waiver of Hearing to Modify Conditions*. We request the Court approve of this modification by signing the attached Probation Form 12B.

Thank you for your time in this matter. If you have any questions, please feel free to contact the undersigned officer at (973) 645-4692.

Respectfully submitted,

CHRISTOPHER MALONEY, Chief  
U.S. Probation Officer

*Kevin M. Villa*  
By: Kevin M. Villa  
U.S. Probation Officer

*[Signature]*  
/kmv

Attachments

PROB 49  
(3/89)

**UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF NEW JERSEY**

**Waiver of Hearing to Modify Conditions  
of Probation/Supervised Release or Extend Term of Supervision**

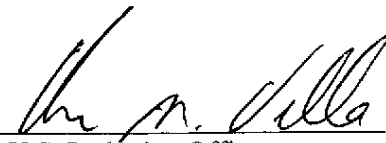
I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By 'assistance of counsel,' I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

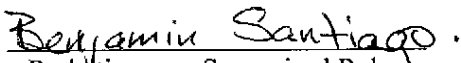
To modify the conditions of supervision as follows. The addition of the following special condition(s):

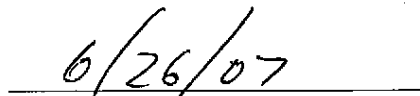
The defendant shall participate in a mental health program for evaluation and/or treatment as directed by the U.S. Probation Office. The defendant shall remain in treatment until satisfactorily discharged and with the approval of the U.S. Probation Office.

Witness:

  
U.S. Probation Officer  
Kevin M. Villa

Signed:

  
Probationer or Supervised Releasee  
Benjamin Santiago

  
DATE